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SUBJECT: Embassy Hosts Port Security Workshop to Draft Law

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¶1. Summary: Embassy co-hosted an inter-Ministerial workshop with the GOM Ports Agency April 21 to draft implementing legislation for the International Ship Port Facility Security (ISPS) Code. Following two productive missions by the U.S. Coast Guard in 2005 (reftel), the main port at Tamatave has already been removed from the Port Security Advisory (PSA). Now plans are set to bring other ports up to standard and to comply with the GOM's ISPS Code obligations as a member of the International Maritime Organization (IMO). End Summary.

¶2. Officials from the Vice Prime Minister's office, Customs, Justice, Transportation, Defense, Police, Foreign Affairs, Fisheries, Gendarmes, and the ports of Tamatave, Majunga, Diego Suarez, and Tulear attended a day-long workshop at the American Cultural Center April 21. Charge d'Affaires opened the event with Port Authority Director General Sambalis. Polecon Chief delivered a presentation on the links between development, trade, and port security, then the DATT presented information about the international maritime security conference to be held in Antananarivo in July. The rest of the program was devoted to an explanation of obligations under the ISPS and drafting a law to implement the Code.

U.S. Coast Guard Motivates GOM

¶3. Following visits by the U.S. Coast Guard Port Security Liaison in April and October 2005, the GOM Ministry of Transport and Public Works, and its Maritime and River Port Agency (APMF), have taken steps to comply with IMO security standards. The main port at Tamatave, which handles most overall international shipments and almost all containers, was removed from the USCG PSA after sufficient improvements were confirmed during the October 2005 visit (reftel). Since that time, the Tamatave port, an autonomous and privately-managed entity, has continued its upgrade plans to secure the perimeter, control access, and improve screening.

¶4. DG Sambalis emphasized to the assembled GOM officials that ISPS Code compliance was mandatory for Madagascar's commercial links and its international reputation. He also noted Tamatave had made significant progress under private management, and said plans must be accelerated to do the same at Majunga, Diego Suarez, and Tulear. Sambalis also informed his colleagues better organization, not financing, was the key element to ISPS Code compliance. For example, access control and inter-agency coordination are simple steps that must be taken.

¶15. DG Sambalis and his staff conducted a short training session to bring the 30 assembled officials up to speed on the ISPS Code, then opened a working meeting on a draft legal text. In the spirited four hour debate that ensued, Ministry stakeholders expressed their concerns, noted what legal authorities they would need to comply with ISPS, discussed alternatives, and arrived at a consensus on most aspects of the new law. The Ministry and Port officials were engaged and productive throughout the day.

¶16. At the end of the afternoon, the assembled officials agreed by consensus to task the APMF to compile a new draft law based on the workshop's comments and input. They established a committee composed of one official each from Customs, Justice, Transportation, Defense, Police, and Gendarmerie that would approve the draft in the coming weeks. Following committee approval, the draft will pass to the Council of Ministers to be accepted for transmission to the National Assembly during the next legislative session starting in May.

¶17. Comment: APMF had pushed for several months to engage colleagues from other Ministries with frequent delays, thus their request for assistance to bring everyone to one table. The Embassy workshop created momentum to enact legislation that will allow the GOM to meet its obligations under the ISPS Code. However, DG Sambalis and other attendees noted training (ideally by the USCG) as well as financing for some needed equipment and construction would be required to make major port security upgrades. End Comment.

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